

**UNITED STATES DISTRICT COURT DISTRICT
OF NEW JERSEY**

Matthew McGoldrick : Civil Action No. 1:23-cv-00385 RBK-SA

Plaintiff(s) : Hon. Robert Kugler

v. : **JOINT PROPOSED DISCOVERY PLAN**

City of Woodbury, et al

Defendant(s)

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1. Set forth the name of each attorney appearing, the firm name, address and telephone number and facsimile number of each, designating the party represented.

Harry J. Kane, Jr., Esquire of Weir Greenblatt Pierce LLP, 1339 Chestnut Street, Suite 500, Philadelphia, PA 19107, Attorneys for Plaintiff, Matthew McGoldrick.

James R. Birchmeier, Esq of Birchmeier & Powell, 1891 State Highway 50, P.O. Box 582, Tuckahoe, NJ 08250, Attorneys for Defendant, City of Woodbury.

2. Set forth a brief description of the case, including the causes of action and defenses asserted. Plaintiff alleges the use of excessive force by the Defendant police.

The Defendant denies the allegations contained in the Complaint.

3. Have settlement discussions taken place? Yes _____ No _____

- (a) What was plaintiff's last demand?

- (1) Monetary demand: \$ _____
(2) Non-monetary demand: _____

- (b) What was defendant's last offer?

- (1) Monetary offer: \$ _____
(2) Non-monetary offer: _____

4. The parties [have have not _____] met pursuant to Fed. R. Civ. P. 26(f):

5. The parties [have ____ have not ____] exchanged the information required by Fed. R. Civ. P. 26(a)(1). If not, state the reason therefor. The parties are still gathering information.
6. Explain any problems in connection with completing the disclosures required by Fed. R. Civ. P. 26(a)(1) None
7. The parties [have _____ have not _____] conducted discovery other than the above disclosures. If so, describe.
8. Proposed joint discovery plan:
 - (a) Discovery is needed on the following subjects: Liability and damages _____
 - (b) Discovery [should _____ should not ____] be conducted in phases or be limited to particular issues. Explain.
 - (c) Proposed schedule:
 - (1) Fed. R. Civ. P. 26 Disclosures 4/25/23
 - (2) E-Discovery conference pursuant to L. Civ. R. 26.1(d) 4/25/23.
 - (3) Service of initial written discovery 4/25/23.
 - (4) Maximum of 25 Interrogatories by each party to each other party.
 - (5) Maximum of 4 depositions to be taken by each party.
 - (6) Motions to amend or to add parties to be filed by 5/15/23.
 - (7) Factual discovery to be completed by 7/25/23.
 - (8) Plaintiff's expert report due on 7/25/23.
 - (9) Defendant's expert report due on 8/25/23.
 - (10) Expert depositions to be completed by 9/25/23.
 - (11) Dispositive motions to be served within 30 days of completion of discovery.
 - (d) Set forth any special discovery mechanism or procedure requested.
None requested

(e) A pretrial conference may take place on TBD.

(f) Trial date: _____ (Jury Trial; Non-Jury Trial).

9. Do you anticipate any special discovery needs (i.e., videotape/telephone depositions, problems with out-of-state witnesses or documents, etc)? Yes No ✓. If so, please explain.

10. Do you anticipate any issues about disclosure or discovery of electronically stored information, including the form or forms in which it should be produced? Yes No ✓.

If so, how will electronic discovery or data be disclosed or produced? Describe any agreements reached by the parties regarding same, including costs of discovery, production, related software, licensing agreements, etc.

11. Do you anticipate any discovery problem(s) not listed above?
Yes No ✓.

12. State whether this case is appropriate for voluntary arbitration (pursuant to Local Civil Rule 201.1 or otherwise) or mediation (pursuant to Local Civil Rule 301.1 or otherwise). If not, explain why and state whether any such procedure may be appropriate at a later time (i.e., after exchange of pretrial disclosures, after completion of depositions, after disposition or dispositive motions, etc.).

Arbitration may be appropriate after Discovery

13. Is this case appropriate for bifurcation? Yes No ✓

14. An interim status/settlement conference (with clients in attendance), should be held in _____.

15. We [do do not

16. Identify any other issues to address at the Rule 16 Scheduling Conference.
None known at this time

Harry J. Kane, Jr.

Attorney(s) for Plaintiff(s)

James Birchmeier

Attorney(s) for Defendant(s)